

Bill No. R-85-09-13

Resolution No. R-109-85

1 A RESOLUTION AUTHORIZING THE
2 ASSIGNMENT OF INDUCEMENT RESOLUTION NO. R-73-85
3 ENTITLED "A RESOLUTION FINDING, DETERMINING AND
4 RATIFYING AN INDUCEMENT RESOLUTION OF THE
5 FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
6 AUTHORIZING THE ISSUANCE AND SALE OF
7 \$9,000,000.00 ECONOMIC DEVELOPMENT REVENUE BONDS
8 FOR THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE
9 OF INDUCING THE APPLICANT, KLINGBEIL/VENTURI JOINT VENTURE
10 TO PROCEED WITH THE ACQUISITION AND CONSTRUCTION
11 AND EQUIPPING OF THE PROJECT" TO GEORGETOWN PLACE
12 VENTURE, AN INDIANA PARTNERSHIP

13 WHEREAS, the City of Fort Wayne, Indiana, adopted
14 Resolution No. R-73-85 on May 28, 1985, which Resolution is attached
15 hereto; and

16 WHEREAS, the Applicant in said Inducement Resolution,
17 namely, Klingbeil/Venturi Joint Venture has advised the Fort Wayne
18 Economic Development Commission and the Issuer that it proposes to
19 assign said Inducement Resolution to Georgetown Place Venture, an
20 Indiana General Partnership; and

21 WHEREAS, the Fort Wayne Economic Development Commission, by
22 Resolution has approved of the assignment of said Inducement
23 Resolution to Georgetown Place Venture and it appearing that the
24 assignment of said Resolution would be of public benefit to the
25 health, safety and general welfare of the Issuer and its citizens;
26 and

27 WHEREAS, the assignment of said Inducement Resolution will
28 not have an adverse effect on any similar facility already
29 constructed or operating in or about Fort Wayne, Indiana;

30 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE
31 CITY OF FORT WAYNE, INDIANA:

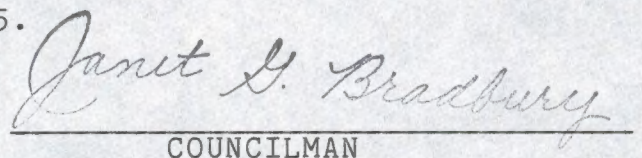
32 SECTION 1. The Common Council finds, determines, ratifies
and confirms the promotion of diversification of economic develop-
ment and job opportunities in and near Fort Wayne, Indiana and in
Allen County, is desirable to preserve the health, safety and
general welfare of the citizens of the Issuer; and that it is in the
public interest that Fort Wayne Economic Development Commission and

1 said Issuer take such action as it lawfully may to encourage diver-
2 sification of industry and promotion of job opportunities in and
3 near said Issuer.

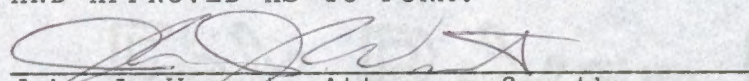
4 SECTION 2. The Common Council further finds, determines,
5 ratifies, and confirms that the assignment of Resolution No. R-73-85
6 to Georgetown Place Venture, an Indiana General Partnership, will
7 serve the public purpose referred to in said Resolution and herein
8 in accordance with I.C. 36-7-12.

9 SECTION 3. The Common Council hereby authorizes, ratifies,
10 and confirms the assignment of Resolution No. R-73-85 by
11 Klingbeil/Venturi Joint Venture to Georgetown Place Venture, an
12 Indiana General Partnership, the exact form of said assignment to be
13 approved by the Counsel to the Economic Development Commission.

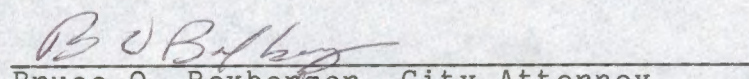
14 SECTION 4. The assignment of said Resolution shall result
15 in an Inducement Resolution granted to Georgetown Place Venture, an
16 Indiana General Partnership. Said Resolution shall be considered to
17 have been adopted on May 28, 1985.

18 
19 COUNCILMAN

20 ADOPTED BY ECONOMIC DEVELOPMENT COMMISSION
21 AND APPROVED AS TO FORM.

22 
23 John J. Wernet, Attorney for the
24 Economic Development Commission
25 Dated this 23 day of September, 1985

26 APPROVED AS TO FORM AND LEGALITY.

27 
28 Bruce O. Boxberger, City Attorney
29 Dated this 2nd day of September, 1985
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31
32

A RESOLUTION FINDING, DETERMINING
AND RATIFYING AN INDUCEMENT RESOLUTION
OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION
AUTHORIZING THE ISSUANCE AND SALE OF
\$9,000,000.00 ECONOMIC DEVELOPMENT REVENUE BONDS
FOR THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE
OF INDUCING THE APPLICANT, KLINGBEIL/VENTURI JOINT VENTURE
TO PROCEED WITH THE ACQUISITION AND CONSTRUCTION
AND EQUIPPING OF THE PROJECT

WHEREAS, the City of Fort Wayne, Indiana, (the "Issuer")
is authorized by I.C. Sec. 36-7-12 (the "Act") to issue revenue
bonds for the financing of economic development facilities,
the funds from said financing to be used for the acquisition,
construction and equipping of said facilities, and said
facilities to be either sold or leased to another person or
directly owned by another person; and

WHEREAS, Klingbeil/Venturi Joint Venture (the "Applicant")
has advised the Fort Wayne Economic Development Commission
and the Issuer that it proposes that the Issuer acquire and
equip an economic development facility and sell/or lease
the same to the Applicant or loan proceeds of an economic
development financing to the Applicant for the same, said
economic development facility to be acquisition of real
estate and construction of a 150 unit full service retirement
residence including fixtures, equipment, and costs of issuance,
sail facility to be located at 1200 Maplecrest Road, Fort
Wayne, Indiana, (The Project).

WHEREAS, the diversification of industry and an increase
in numerous construction jobs together with approximately 25
full time and 7 part time jobs to be achieved by the project
will be a public benefit to the health, safety and welfare
of the issuer and its citizens; and

WHEREAS, having received the advice of the Fort Wayne
Economic Development Commission, it would appear that the
financing of the Project would be of public benefit to the
health, safety and general welfare of the Issuer and its
citizens; and

1 WHEREAS, the acquisition and construction of the facility
2 will not have an adverse effect on any similar facility already
3 constructed or operating in or about Fort Wayne, Indiana.

4 NOW THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF
5 THE CITY OF FORT WAYNE, INDIANA:

6 SECTION 1. The Common Council finds, determines, ratifies
7 and confirms the promotion of diversification of economic
8 development and job opportunities in and near Fort Wayne,
9 Indiana and in Allen County, is desirable to preserve the
10 health, safety and general welfare of the citizens of the
11 Issuer; and that it is in the public interest that Fort
12 Wayne Economic Development Commission and said Issuer take
13 such action as it lawfully may to encourage diversification
14 of industry and promotion of job opportunities in and near
15 said Issuer.

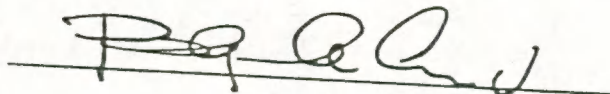
16 SECTION 2. The Economic Development Commission in
17 recommending the project, found specifically that the project
18 will not have an adverse competitive effect on similar
19 facilities already constructed or operating in Allen County,
20 Indiana, and the Common Council has also held a hearing and
21 specifically finds that the project will not have an adverse
22 competitive effect on similar facilities already constructed
23 or operating in Allen County, Indiana.

24 SECTION 3. The Common Council further finds, determines,
25 ratifies, and confirms that the issuance and sale of revenue
26 bonds in an amount not to exceed \$9,000,000.00 of the Issuer
27 under the Act for the acquisition, construction and equipping
28 of the Project and the sale or leasing of such a financing
29 to the Applicant for such purposes will serve the public
30 purpose referred to above, in accordance with the Act.

31 SECTION 4. In order to induce the Applicant to proceed
32 with the acquisition, construction and equipping of the
33 Project, the Common Council hereby finds, determines, ratifies
34 and confirms that (i) it will take or cause to be taken such
35 actions pursuant to the Act as may required to implement the
aforesaid financing, or as it may deem appropriate in pursuance

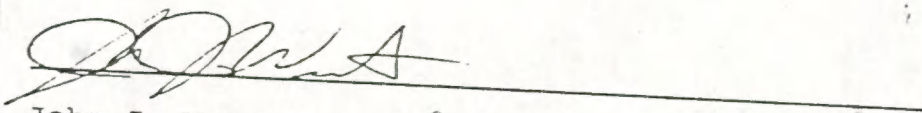
1 thereof, provided that all of the foregoing shall be mutually
2 acceptable to the Issuer and the Applicant; and (ii) it will
3 adopt such ordinances and resolution and authorize the
4 execution and delivery of such instruments and the taking of
5 such action as may be necessary and advisable for the author-
6 ization, issuance and sale of said economic development bonds.

7 SECTION 5. All costs of the Project incurred after the
8 passage of this Inducement Resolution including disbursement
9 or repayment of the Applicant of monies expended by the
10 Applicant for planning, engineering, interest paid during
11 construction, underwriting expenses, attorney and bond
12 counsel fees, acquisition, construction and equipping of the
13 Project will be permitted to be included as part of the bond
14 issue to finance said Project, and the Issuer will thereafter
15 either sell or lease the same to the Applicant or loan the
16 proceeds of such financing to the Applicant for the same
17 purposes.

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20 COUNCILMAN

21
22 ADOPTED BY ECONOMIC DEVELOPMENT COMMISSION
23 AND APPROVED AS TO FORM.

24
25 

26 John J. Wernet, Attorney for the
27 Economic Development Commission

28 Dated this 13th day of May, 1985

29
30 APPROVED AS TO FORM AND LEGALITY.

31
32 

33 Bruce O. Boxberger, City Attorney

34 Dated this 13th day of May, 1985
35

seconded by Stier, and duly adopted, read the second time
by title and referred to the Committee Finance (and the City
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Wayne
Indiana, on _____, the _____ day of _____,
1985, at _____ o'clock _____ M., E.S.

DATE: 5-14-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by C. Stier
seconded by Stier, and duly adopted, placed on its
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>9</u>	_____	_____	_____	_____
BRADBURY	<u>✓</u>	_____	_____	_____	_____
BURNS	<u>✓</u>	_____	_____	_____	_____
EISBART	<u>✓</u>	_____	_____	_____	_____
GIAQUINTA	<u>✓</u>	_____	_____	_____	_____
HENRY	<u>✓</u>	_____	_____	_____	_____
REDD	<u>✓</u>	_____	_____	_____	_____
SCHMIDT	<u>✓</u>	_____	_____	_____	_____
STIER	<u>✓</u>	_____	_____	_____	_____
TALARICO	<u>✓</u>	_____	_____	_____	_____

DATE: 5-28-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. 9-73-85
on the 28th day of May, 1985,

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. Giaquinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 29th day of May, 1985,
at the hour of 11:30 o'clock A.M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 29th day of May,
85, at the hour of 3:00 o'clock P.M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

Read the first time in full and on motion by Bradbury
seconded by DiLuccio, and duly adopted, read the second time
by title and referred to the Committee Senne (and the Ci
Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Council Chambers, City-County Building, Fort Way
Indiana, on _____, the _____ day of
_____, 19____, at _____ o'clock _____ M., E

DATE: 9-24-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Costin
seconded by Stier, and duly adopted, placed on its
passage. PASSED ~~(LOST)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>9</u>	_____	_____	_____	_____
<u>BRADBURY</u>	<u>✓</u>	_____	_____	_____	_____
<u>BURNS</u>	<u>✓</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>✓</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	<u>✓</u>	_____	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	<u>✓</u>	_____	_____	_____	_____
<u>STIER</u>	<u>✓</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>✓</u>	_____	_____	_____	_____

DATE: 10-8-85

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort
Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~

~~(SPECIAL)~~ ~~(ZONING MAP)~~ ~~ORDINANCE~~ ~~(RESOLUTION)~~ NO. B-109-85

on the 8th day of October, 1985.

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Mark E. GiaQuinta
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,
on the 9th day of October, 1985
at the hour of 11:30 o'clock A .M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 14th day of October
1985, at the hour of 9:00 o'clock A .M., E.S.T.

Win Moses, Jr.
WIN MOSES, JR., MAYOR

SUMMARY SHEET
ECONOMIC DEVELOPMENT REVENUE BOND
FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION

Name of Applicant: Gerald E. Smith

Q-

Type of Project:

Project/Service

_____ Agricultural

_____ Manufacturing

_____ Wholesale

X Retail

X Service

_____ Multi-Family Housing

_____ Office Equipment

_____ Office Equipment

Location of Project:

Zoning:

B1B

Magnavox Way, Fort Wayne, Indiana

4th Councilmantic District

Contact Person: Gerald E. Smith (317) 634-2913

Amount of Issue: \$ 600,000.00

Description of Project:

Acquisition of real estate and construction of an 8,000 sq. ft. building
for use as office, service and storage, related to the sale and servicing
of office equipment by Van Ausdall & Farrar, Inc.

No. of Jobs and Annual Payroll to be Created:

In one (1) year 15 Jobs: \$ 300,000.00

In three (3) year 26 Jobs: \$ 520,000.00

Adverse Competitive Effects:

No adverse competitive effect is foreseen since this is a sales office,
but actual sales are not done at this facility.

E.D.C. Recommendation: X Pass 9/19/85 _____ Do Not Pass

Comments: Target area required.

BILL NO. R-85-09-13

REPORT OF THE COMMITTEE ON FINANCE

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS
REFERRED AN (ORDINANCE) (RESOLUTION) A RESOLUTION AUTHORIZING
THE ASSIGNMENT OF INDUCEMENT RESOLUTION NO. R-73-85 ENTITLED "A
RESOLUTION FINDING, DETERMINING AND RATIFYING AN INDUCEMENT RESOLUTION
OF THE FORT WAYNE ECONOMIC DEVELOPMENT COMMISSION AUTHORIZING THE
ISSUANCE AND SALE OF \$9,000,000.00 ECONOMIC DEVELOPMENT REVENUE BONDS
FOR THE CITY OF FORT WAYNE, INDIANA FOR THE PURPOSE OF INDUCING THE
APPLICANT, KLINGBEIL/VENTURI JOINT VENTURE TO PROCEED WITH THE
ACQUISITION AND CONSTRUCTION AND EQUIPPING OF THE PROJECT" TO
GEORGETOWN PLACE VENTURE, AN INDIANA PARTNERSHIP

HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION AND BEG
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)
(RESOLUTION) (DO PASS) DO NOT PASS WITHDRAWN
YES NO

B. A. Eisbart

BEN A. EISBART
CHAIRMAN

Janet G. Bradbury

JANET G. BRADBURY
VICE CHAIRWOMAN

Samuel J. Talarico

SAMUEL J. TALARICO

Thomas C. Henry

THOMAS C. HENRY

JAMES S. STIER

CONCURRED IN 10-8-85

SANDRA E. KENNEDY
CITY CLERK